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**STANDING COMMITTEE ON
LABOUR AND WELFARE
(1999-2000)**

THIRTEENTH LOK SABHA

MINISTRY OF LABOUR

**DEMANDS FOR GRANTS
(2000-2001)**

THIRD REPORT



**LOK SABHA SECRETARIAT
NEW DELHI**

April, 2000/Chaitra, 1922 (Saka)

Isak
8/5/20

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STANDING COMMITTEE ON
LABOUR AND WELFARE
(1999-2000)

(THIRTEENTH LOK SABHA)

MINISTRY OF LABOUR

DEMANDS FOR GRANTS
(2000-2001)

Presented to Lok Sabha on 25.4.2000

Laid in Rajya Sabha on 25.4.2000



LOK SABHA SECRETARIAT
NEW DELHI

April, 2000/Chaitra, 1922 (Saka)

**COMPOSITION OF THE STANDING COMMITTEE
ON LABOUR AND WELFARE
(1999-2000)**

Dr. Sushil Kumar Indora — *Chairman*

MEMBERS

Lok Sabha

2. Shri Daud Ahmad
3. Shri Alam Amir
- *4. Shri Ashok Argal
5. Shri Denzil B. Atkinson
- *6. Shri Sudip Bandyopadhyay
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25. Dr. Ram Lakhan Singh
26. Shri Mansukhbhai Vasava
27. Dr. N. Venkataswamy
- *28. Shri K. Yerrannaidu

*Nominated to the Committee *w.e.f.* 6th April, 2000.

Rajya Sabha

- *29. Shri Govindrao Adik
- *30. Shri Sanatan Bisi
- 31. Dr. (Mrs.) P. Selvie Das
- 32. Shri Mohd. Azam Khan
- 33. Shri Ramachandra Khuntia
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- 36. Shri Joyanta Roy
- 37. Shri Ka.Ra. Subbian
- 38. Ms. Frida Topno
- *39. Shri Janardan Yadav

SECRETARIAT

- 1. Shri Joginder Singh — *Joint Secretary*
- 2. Shri J.P. Sharma — *Deputy Secretary*
- 3. Shri B.D. Swan — *Under Secretary*
- 4. Shri S.K. Saxena — *Committee Officer*

*Ceased to be the Members of the Committee consequent upon their retirement from Rajya Sabha on 2nd April, 2000.

INTRODUCTION

I, the Chairman of the Standing Committee on Labour and Welfare (1999-2000) having been authorised by the Committee to submit the Report on their behalf, present this Third Report, on the Demands for Grants, 2000-2001 on the Ministry of Labour.

2. The Committee considered the Demands for Grants pertaining to the Ministry of Labour for the current year *i.e.* 2000-2001 which were laid on the Table of the House on 13 March, 2000. Thereafter, the Committee took evidence of the representatives of the Ministry of Labour on 22.3.2000. The Committee considered and adopted the Report at their sitting held on 13th April, 2000.

3. The Committee wish to express their thanks to the Officers of the Ministry of Labour for placing before them the detailed written notes on the subject and for furnishing the information the Committee desired in connection with the examination of the Demands for Grants and tendering evidence before the Committee.

4. For facility of reference and convenience, the observations and recommendations of the Committee have been printed in thick type in the body of the Report and have also been reproduced in a consolidated form in Annexure-II to the Report.

NEW DELHI;
13 April, 2000
24 Chaitra, 1922 (Saka)

DR. SUSHIL KUMAR INDORA,
Chairman,
Standing Committee on
Labour and Welfare.

CHAPTER I

INTRODUCTORY

1.1 The Committee have been informed that the Shram Mantralaya (Ministry of Labour) is responsible for laying down policy in respect of labour matters including industrial relations, cooperation between labour and management, settlement of labour disputes, regulation of wages and other conditions of work and safety, women labour and child labour, labour welfare, social security etc. besides development and administration of employment service and training of craftsmen on national basis.

1.2 The implementation of the policies in regard to the above matters is also the responsibility of the State Governments concurrently with the Central Government.

1.3 The Demands for Grants asked for by the Ministry are given under Demand No. 57.

1.4 To achieve the objectives, funds are required by the Ministry under the following Heads:

1. 2225 Welfare of SC/ST and other Backward Classes.
2. 2230 Labour Employment and Training.
3. 2552 Lump-sum provisions for North Eastern States.
4. 3601 Grants-in-aid to State Governments.
5. 3602 Grants-in-aid to Union Territory Governments.
6. 3606 Aid Material and equipment.
7. 4250 Capital outlay on other social services.
8. 6250 Loans for other social services.

1.5 It has been stated in the Performance Budget that the Planning Commission made an allocation of Rs. 100 crore during the year 1999-2000 of which Rs. 19.85 crore were transferred to Ministry of Urban Affairs and Employment.

1.6 Budget Estimates of the Ministry for the year 2000-2001 are placed at Rs. 903.01 crore (Plan Rs. 98 crore and Non-Plan Rs. 805.01 crore). The Planning Commission made an allocation of Rs. 123 crore for the year 2000-2001 out of which Rs. 25 crore have been transferred to Ministry of Urban Affairs and Employment for incorporation in the Budget document of that Ministry for Capital Works to be executed during 2000-2001.

1.7 The Ministry has furnished the following statement showing Budget Estimates/Revised Estimates and expenditure for the year 1999-2000 alongwith percentage of expenditure *vis-a-vis* the Budget Estimates:

**Statement showing Budget Estimates/Revised
Estimates for the year 1999-2000**

<i>Plan</i>		<i>(Rs. in crores)</i>			
S.No.	Activity	B.E. 1999- 2000	R.E. 1999- 2000	Exp. Upto Feb. 2000	% of Exp. <i>vis-a-vis</i> B.E. 1999-2000
1.	Research and Statistics	10.43	7.70	6.71	64.3
2.	Industrial Relations	4.44	3.90	2.00	45.0
3.	Working Conditions and Safety	5.80	3.45	2.49	42.9
4.	Labour Education	5.50	5.50	4.48	81.5
5.	Rehabilitation of Bonded Labour	4.00	4.00	0.71	17.8
6.	Improvement in Working Conditions of Child/ Women Labour	40.20	34.20	29.15	72.5
7.	Other items	1.93	1.61	0.47	24.4
8.	Empolymnt	3.82	1.11	0.55	14.4
9.	Training	32.85 1.25 }	27.11	17.98	52.7
10.	Welfare of SC/ST and other backward classes	1.18	0.85	0.40	33.9
		111.40	89.43	64.94	58.29%

Non-Plan

(Rs. in Crores)

S.No.	Activity	B.E. 1999-2000	R.E. 1999-2000	Expend. Upto Feb, 2000 (Provisional)	% Expendi- ture Over B.E.
1.	Sectt. Social Services	10.18	10.89	9.15	89.9
2.	Research and Statistics	3.92	3.39	3.12	79.6
3.	Industrial Relations	14.34	15.54	13.06	91.1
4.	Working Conditions & Safety	20.14	20.97	18.27	90.7
5.	Labour Welfare Schemes	60.11	58.04	33.0	54.9
6.	Transfer to Reserve Fund	80.10	74.50	73.15	91.3
7.	Social Security	572.01	572.01	572.00	99.9
8.	Labour Education	15.85	15.85	14.21	89.7
9.	International Cooperation	3.50	3.50	2.88	82.3
10.	Other items	1.26	1.35	1.04	82.5
11.	Employment	12.23	12.73	11.57	94.6
12.	Training	21.59	21.06	18.92	87.6
13.	Welfare of SC/ST	1.72	1.76	1.30	75.6
14.	Other Grants (compensation to heavy duty inter-state vehicle drivers killed in accidents)	0.50	0.50		
Total		817.45	812.09	771.67	94.4%

1.8 It has been noted from the statement furnished by the Ministry that the major funds allocated during 1999-2000 under Plan Scheme on Industrial Relations, Working Condition and Safety, Rehabilitation of Bonded Labour, Other Items, Employment, Training, Welfare of Scheduled Castes/Scheduled Tribes and other Backward Classes have not been fully utilised.

1.9 When the Committee asked Secretary, Ministry of Labour during the evidence about the reasons for less utilisation of funds, he stated:—

“There is some reduction in actual expenditure. In training, for example, the Budget Estimate was Rs. 92.95 crore and the actual expenditure was Rs. 65.87 crore. The percentage of expenditure is 69.84 percent. As far as child labour rehabilitation is concerned, we will, of course, substantiate the reasons. But generally speaking, we have difficulty with the District Child Labour Society in getting audited statement of accounts, utilisation certificates and inspection reports.”

1.10 Explaining the procedural constraints in the budgetary provision, he further stated:—

“We are not quite comfortable in terms of adequacy of budgetary provision and we have, of course, serious problems. There are procedural constraints which make matters difficult in terms of timely release of funds. But we have been closely and continuously reviewing the pace and progress of expenditure under various Plan Schemes. We have been able to achieve about 60 per cent so far. We hope that by the close of the financial year, we would be able to improve our performance.”

1.11 The Committee note that although the Ministry of Labour has improved their expenditure in non-plan allocations yet the plan expenditure is below 60% and in some of the schemes it is much below 25% which is far from being satisfactory. The reasons put forth by the Ministry for non-utilisation of funds such as not getting the audited statement of accounts, utilisation certificates and inspection reports from District Child Labour Societies in time are not at all convincing to the Committee. The Committee are, therefore, of the opinion that the Ministry is lacking coordination with the States and also its monitoring is not upto the mark. The Committee, therefore, recommend that the Ministry of Labour should have a thorough monitoring over the Central as well as the Centrally sponsored Schemes. The Committee expects that in future the Ministry should not only ensure that the funds allocated for various schemes are utilised during the same financial year for which these are earmarked but also devise effective steps to improve their monitoring over the schemes. Steps taken in this regard may be communicated to the Committee.

1.12 The Committee express their serious concern that the Agricultural Workers who constitute by far the largest segment of workers in the unorganised sector and whose number according to 1991 census was 74.6 million continue to be still dispersed and unorganised even after 50 years of independence. Despite this Committee's recommendation made in their Fourth Report (Twelfth Lok Sabha), the Government have not been able to provide an umbrella legislation for them. The reasons put forth by the Ministry that some of the State Governments have expressed certain reservations on some of the components of the draft legislation is not acceptable to the Committee. The Committee feel that the Ministry has not shown the seriousness in the matter which it deserved. The Committee, therefore, strongly recommend that the Ministry should make vigorous efforts in the right earnest to resolve the tangle among the States to get the consensus in the matter from all the State Governments so that a comprehensive legislation providing for social security and regulating conditions of service for the Agricultural Workers is brought before the Parliament without further delay.

1.13 The Committee are constrained to note that there are 85 million handicapped in the country and only 17 Vocational Rehabilitation Centres have been set up for them in sixteen States. The Committee feel that keeping in view the millions of handicapped in the country the number of these Rehabilitation Centres is quite inadequate to cater to their needs. The Committee while appreciating the Ministry's proposal to the Planning Commission for setting up at least one VRC in each State/UT desire that the matter should be pursued vigorously so that maximum number of handicapped are economically rehabilitated. Also efforts should be made with the State Governments/UTs to provide hostel facility in each Vocational Rehabilitation Centre.

1.14 The Committee express their serious concern over the miserable plight of the public sector employees whose statutory dues amount to Rs. 1800 crore representing the provident fund, ESI, gratuity, bonus, workmen's compensation etc. have not been paid months together as a result of industrial sickness in the public undertakings. Although the matter is stated to be under consideration of the Committee of the Group of Ministers yet in the opinion of the Committee it is required to be resolved on priority so that the workers' interests are protected. The feelings of the Committee may be conveyed to the Group of Ministers.

1.15 The Committee note with concern that despite a statutory provision for constituting the Vigilance Committees at the district and sub-divisional levels to identify and release of bonded labourers, the Vigilance Committees in as many as 535 districts in the country have not been constituted so far. The Committee also note that since the enactment of Bonded Labour System (Abolition) Act, 1976, 2,80,340 bonded labourers have been identified upto 31st March, 1999 and out of these 2,43,325 bonded labourers have been reported to be rehabilitated by the State Governments under the Centrally sponsored schemes and 17003 are waiting for rehabilitation and others are not traceable. The Committee are of the opinion that the monitoring of the Ministry is not very effective and desire that the Ministry should impress upon the concerned State Governments/U.Ts. to constitute the Vigilance Committees in all the remaining districts so that the bonded labourers are released and rehabilitated.

1.16 The Committee note that there are about 8.5 million Building and other Construction Workers in the country and two comprehensive legislations viz. (a) The Building and other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996; and (b) The Building and Other Construction Workers' Welfare Cess Act, 1996 have been brought on the Statute Book *w.e.f.* 20.8.1996 but no States except Kerala has constituted the Welfare Board. The Committee view this situation very seriously and urge the Ministry to take up the matter vigorously with all the remaining States for implementing the provisions of the said legislations in letter and spirit so as to ameliorate the living conditions of workers engaged in the construction activity.

CHAPTER II
REPORT
DEMANDS FOR GRANTS—2000-2001

MAJOR HEAD : 2230

MAIN HEAD : 102.09

A. Directorate General of Mines Safety (DGMS)

2.1 The Budget Estimates and Revised Estimates for 1999-2000 for the Directorate General of Mines Safety were Rs. 14,15,00 thousands and Rs. 17,31,61 thousands respectively and the Budget Estimates for 2000-2001 are Rs. 18,31,00 thousands.

2.2 Under the Constitution of India, safety, welfare and health of workers employed in mines are the concern of Central Government. The Directorate General of Mines Safety is responsible for the safety, health and working conditions of workers in coal and non-coal mines and oil fields. DGMS with its headquarters at Dhanbad with its Zonal, Regional and Sub-regional offices spread over mining areas, is entrusted with the responsibility of enforcing the provisions of the Mines Act, 1952 and the rules and regulations framed thereunder in coal, metalliferous and oil mines. Apart from inspection of mines the Directorate General also undertakes investigations into all fatal accidents and certain serious accidents and dangerous occurrences of similar mishaps.

2.3 Ministry has furnished the following table regarding the number of fatal accidents occurred in coal mines and non-coal mines along

with causes of accidents during the last three years:—

Cause-wise Trend of Fatal Accidents in Coal Mines

Sl. No.	Cause/Year	1997	1998	1999
1.	Ground Movement			
	Fall of Roof	38(48)	34(48)	30(32)
	Fall of side	12(12)	16(17)	9(12)
	Other Ground Movement	1(1)	—	3(7)
2.	Transportation Machinery (Winding in Shaft)	3(3)	4(4)	4(4)
3.	Transportation Machinery (Other than winding in Shaft)			
	Rope Haulage	21(21)	18(18)	14(14)
	Wheeled Trackless Transpo.	24(26)	20(20)	22(22)
	Other Transp. Machinery	5(5)	4(4)	4(4)
4.	Machinery other than Transportation Machinery	7(7)	10(11)	5(5)
5.	Explosives	4(4)	4(4)	4(6)
6.	Electricity	7(7)	5(5)	7(7)
7.	Gas, Dust and other combustible material	4(14)	2(4)	2(2)
8.	Fall (Other than Falls of ground)			
	Fall of persons	12(12)	7(7)	14(14)
	Fall of Objects	3(3)	3(3)	4(4)
	Other falls	—	—	—
9.	Other causes			
	Eruption of Water	—	—	—
	Flying pieces	—	—	1(1)
	Miscellaneous	2(2)	4(4)	9(9)
Total		143(165)	131(149)	132(143)
Below Ground		94(114)	83(100)	76(87)
Opencast		27(29)	25(25)	28(28)
Above Ground		22(22)	23(24)	28(28)

Cause-wise Trend of Fatal Accidents in Non-Coal Mines

S.No.	Cause/Year	1997	1998	1999
1.	Ground Movement			
	Fall of Roof	3(4)	2(2)	2(2)
	Fall of side	12(17)	8(11)	9(18)
	Other Ground Movement	—	—	1(2)
2.	Transportation Machinery (Winding in Shaft)	1(1)	1(1)	
3.	Transportation Machinery (Other than winding in Shaft Rope Haulage)	1(1)	—	—
	Wheeled Trackless Transp.	22(22)	16(18)	14(15)
	Other Transp. Machinery	—	4(4)	1(1)
4.	Machinery other than Transportation Machinery	5(5)	5(6)	5(5)
5.	Explosives	6(6)	3(4)	6(6)
6.	Electricity	4(4)	3(3)	4(4)
7.	Gas, Dust and other combustible material		1(1)	1(1)
8.	Fall (Other than Falls of ground)			
	Fall of persons	8(8)	11(11)	13(15)
	Fall of Objects	6(7)	4(5)	2(2)
	Other falls	—	—	—
9.	Other causes			
	Eruption of Water	—	—	—
	Flying pieces	—	—	—
	Miscellaneous	2(2)	2(3)	5(5)
	Total	70(77)	60(69)	63(76)
	Below Ground	7(8)	6(6)	8(10)
	Opencast	39(45)	33(41)	33(44)
	Above Ground	24(24)	21(22)	22(22)

Note: Figures within parentheses denote the number of persons killed.

Fall of roofs and sides remained the biggest contributor to fatalities in coal mines whereas death due to dumpers and trucks are the largest in non-coal mines and second largest in coal mines.

2.4 As regards the number of prosecution cases launched against the erring Managements/Officials in the Mines and cases disposed of during the last three years, the Ministry has furnished the following table:

Year	Prosecution launched	Cases disposed of	Cases pending
1997	77	3	74
1998	51	4	47
1999	86	1	85

2.5 The Committee have been informed that arising out of inspections and enquiries by the officers of DGMS, prosecutions are filed against the persons held responsible for serious contravention of law if considered necessary. Extant laws of the land and the limitations of the present judicial system lead to considerable delay in disposal of the cases. At present legal cases take a long period of 8 to 15 years for more to be decided in the lower court. Appeals in higher courts take another 8-10 years. Most legal cases are concluded only thereafter. In view of the grossly inadequate legal set up in DGMS, most of the cases including vital cases are filed and conducted through panel lawyers or PP/APP appointed by the State Government. The remuneration at the Government approved rates given to the panel lawyers/outside layers engaged by DGMS is hardly Rs. 100/- to 500/-. DGMS is facing difficulties in engaging outside lawyers to dispose of criminal cases, because the existing prescribed fees are so poor that panel lawyers hesitate to handle the cases.

2.6 In view of the above the Ministry of Labour envisaged implementation of a Plan Scheme during the Ninth Plan Period "Enforcement of Mine Safety Laws through improved Legal Set up of DGMS (ESSML)". It is expected that once this scheme is fully functional, disposal of Mines Act cases would improve considerably.

2.7 When asked about the present strength of the staff complement of the DG, Mines Safety Department as against the sanctioned strength, the Ministry has furnished the following statement:

Category	Sanctioned Strength	In Position Strength
Group A	177	141
Group B	77	67
Group C	533	474
Group D	283	250
Total	1070	932

2.8 For partial compliance of norms of inspections/activities set up by the Kumarmangalam Committee, a new Plan Scheme Called "Strengthening of Mines Safety Enforcement Machinery" has been formulated under the IXth Plan of Ministry of Labour. The Plan is yet to be approved. Under the Scheme it is proposed to create 52 (Fifty Two) posts of Inspecting Officers.

2.9 When asked about the implementation of the recommendations of the Eighth Conference held in May, 1993 the Ministry in its written reply furnished to the Committee has stated that out of 52 recommendations made by the 8th Conference, 40 recommendations have been implemented by the Mining Companies. The remaining recommendations have been carried forward and have been incorporated in the IX Conference recommendations.

2.10 The Directorate General of Mines has been continuously engaged in vigorous follow up of the recommendations of the 8th Conference in various platforms like the tripartite meetings held with individual mining companies, bipartite meetings with mine managements, etc. As no statutory penal action can be taken for delay in implementation by the mining companies, it is proposed to direct the mining companies to submit an action plan for prioritizing the recommendations for speedy implementation in mines. Further, it is also proposed to speed up the implementation process by drawing up time bound programme and monitoring on a tripartite basis at shorter intervals.

2.11 The IXth Conference on Safety in Mines was held on February 2nd and 3rd 2000 at New Delhi. No meeting of the Conference after May 1993 could be held as the implementation status of the recommendations of the previous Conference held in May, 1993 was being deliberated on a tripartite platform with individual mining companies at regular intervals every year.

2.12 All the five on going Plan Schemes of DGMS *viz.*, Development of Mines Safety Information System (DMSIS), Study of Mine Accidents to Plan Preventive Measures (SOMA), Augmentation of Science and Technology Support Capabilities in DGMS (S&T), Human Resource Development for improving Health and Safety Standards in Mines (HRD) and Development of Mines Rescue Services (DMRS) have been approved by EFC/SFC during the 8th Five Year Plan and were recommended for continuation in the IXth Five Year Plan. Staff requirement for these plan schemes have not yet been created.

2.13 The Committee are constrained to note that safety, health and working conditions of workers employed in mines are in the domain of DGMS who besides inspection of mines undertake investigations into all fatal and non-fatal accidents in coal and non-coal mines yet the number of fatal accidents in coal and non-coal mines are increasing. The reasons put forth by the Ministry regarding accidents in coal and non-coal mines *i.e.* fall of roofs and sides in coal mines whereas death due to dumpers and trucks in non-coal mines are not acceptable to the Committee. The Committee are also not happy with the situation that a good number of posts of inspecting staff is lying vacant. The Committee, therefore, strongly recommend that the Ministry should take vigorous efforts to minimise the accidents in mines and make all out efforts to operationalise their scheme *viz.* "Strengthening of Mines Safety Enforcement Machinery" at the earliest. Also the Ministry should ensure that the Directorate General of Mines Safety Department should be strengthened by providing adequate staff.

2.14 The Committee regret to note that the number of cases against the erring managements are piling up year after year due to limitations of the present judicial system which lead to considerable delay in disposal of cases and also due to existing prescribed fees paid to panel lawyers/outside lawyers engaged by the DGMS is so meagre that panel lawyers hesitate to handle the cases. The Committee find that it is not a very happy situation and therefore desire that the matter may appropriately be taken up with the concerned Ministries for revising their fees which will certainly reduce the pendency. Also for expeditious disposal of cases under the Mines Act, 1952, efforts should be made to set up designated/special courts.

MAJOR HEAD : 2230

MAIN HEAD : 08

B. Re-organisation and Strengthening of DGFASLI Organisation and Establishment of Special Cell

2.15 Directorate General, Factory Advice Services and Labour Institutes (DGFASLI) is responsible for the safety, health and welfare of the dock workers and factory workers. It consists of the Headquarters, Factory Advice Services, Construction Safety Division, Dock Safety Division and Awards Cell, the Central Labour Institute (CLI) at Mumbai, the four Regional Labour Institutes (RLIs) at Calcutta, Kanpur, Chennai and Faridabad and the Dock Safety Inspectorates in 11 major ports in India. The Regional Labour Institute at Faridabad is in formative stage and has been established in a rental premises. This would serve the northern States/UTs viz. Delhi Punjab, Haryana, J&K, Himachal Pradesh, etc. which are being presently looked after by Regional Labour Institute, Kanpur, in a more effective way.

2.16 The main objective of the Organisation is to function as a service organisation to advise Central/State Governments and to render support to trade unions, employers and others concerned in matters relating to improving safety, health, productivity and working conditions in factories and ports. The above objective is accomplished by the Organisation through programmes and activities carried out under various Non-Plan Schemes.

2.17 When asked about the possession of land from Haryana Urban Development Authority for construction of Regional Labour Institute at Faridabad, the Secretary during evidence stated as under:

"It has taken almost five years to get the possession of land from HUDA and the present cost has gone up almost 200 per cent. It would take a minimum of two years for preparing the plan and the estimates, have the technical sanction and administrative approval, have the building constructed, and they have the staff of about 50 to 60 people appointed. It would take a minimum of two years."

2.18 The Committee have been informed that the following research and consultancy studies and surveys have been undertaken by the Organisation during the last three years. The DGFASLI is striving hard to improve its performance on a continuous basis notwithstanding the number of vacant posts. The requisition for filling up the vacant posts have already been sent to UPSC, whose recommendations are awaited.

National Studies and Surveys undertaken during last three years

In its efforts towards helping the Central Government in formulation of standards for inclusion in statutes on Safety and Health in Factories and Ports, DGFASLI undertakes National studies and surveys, and the status of working conditions, safety and the health are ascertained.

Sl. No.	Title	Date of Commencement	No. of Units Covered			Status
			1997	1998	1999	Cumulative
1	2	3	4	5	6	7
						8
1.	Assessment of Dust Levels in Major Ports		1	2	3	6
						Report under preparation
2.	Survey on Establishment of Occupational health Services for Ports & Docks of India		*	—	—	11
						*Report submitted in 1997 covering 11 Units
3.	Status & functioning of Safety Committees in Docks		*	—	—	11
						*Report submitted in 1997 covering 11 Units
4.	Process Safety in Fertilizer Industry	February, 1994	—	*	—	18
						*Report finalised & published.

1	2	3	4	5	6	7	8
5.	Environment Study in Fertilizer Industry	February, 1994	—	*	—	16	*Report is completed and published.
6.	Transport Equipment Safety & Road Accidents Study in Ports.*	January, 1996	4	5	3	12	Report under preparation.
7.	Status of implementation of Factories Act regarding Compulsory Disclosure of Information to Workers about hazardous process in industry (National Project)	May, 1997	—	10 **	—	—	Basic frame- work of study was prepared in 1997.
8.	Safety Audit in Ports	1997	4	4	4	2	Reports for 8 Ports completed & reports for 3 under progress.

1	2	3	4	5	6	7	8
9.	Ergonomic Study on Beedi Workers	August, 1995	—	—	—	—	Report under preparation.
10.	Assessment of the Status of Canteen facilities in ports	June, 1966	1 ***	—	1	1	Report submitted in 1998. Report of one study under progress.
11.	Safety, Health and Work Environment in Pesticides Industry	April, 1998	—	5	5	10	Under Progress.
12.	National Study on Anthropometry-suggestion norms of seating arrangements for Laboratory and Office Staff	February, 1998	—	15	497	497	Carried out body measurement of 497 Volunteers under Progress.
13.	Study on Safety and Environmental Conditions in Stone-Crushing Units	27 October, 1998	—	*19	*22	*41	*Preliminary Field survey Field survey carried out.

* Including J.N.P.T. & Haldia Ports

** Units covered for testing of the questionnaires

*** Mazgaon Docks Ltd., Mumbai.

Unit Level Consultancy Studies Completed/Undertaken

Sl. No.	Area	No. of Studies Completed			Under Progress	
		1997	1998	1999	1999	1999
1	2	3	4	5	6	6
1.	Industrial Safety					
	(a) Noise	5	6	5	—	—
	(b) Illumination		1	2	—	—
	(c) Ventilation	3	4	3	—	—
	(d) Safety Audit	17	18	17	12	12
	(e) Transport and Traffic	4	—	—	—	—
	(f) Dock Safety	—	—	—	—	—
2.	Industrial Hygiene					
	(a) Environment Assessment	14	12	13	8	8
	(b) Assessment of Airborne contaminants	5	6	3	—	—
	(c) Hygiene-Cum-Safety	4	—	2	3	3

1	2	3	4	5	6
3.	Major Accident Hazards Control				
	(a) Maximum Credible Loss Scenario	6	6	1	—
	(b) HAZOP	6	3	1	—
	(c) Risk Assessment	4	2	—	—
4.	Occupational Health				
	(a) Assessment of Occupational Health Status	8	2	1	3
5.	Industrial Physiology				
	(a) Ergonomics	—	—	2	—
	(b) Evaluation of heat Strees	—	—	4	—
6.	Productivity: Manpower	—	—	—	1
	Total	76	60	54	27

2.19 When asked about the number ships and oil tankers inspected and the remedial measures suggested by the DGFASLI, the Ministry has stated as under:

Year	No. of Ships and Oil Tankers Inspected
1996-97	1453
1997-98	1646
1998-99	1465

2.20 The guidelines have been issued to the Inspectorates to prioritise the inspection of ships and oil tankers like:

- (a) Tankers/ships carrying chemicals/dangerous goods.
- (b) Ships carrying containers, logs, steel cargo, iron scrap and other cargoes likely to inflict physical injury.
- (c) Ships/tankers having more contraventions in the earlier visits.

2.21 As regards man power position of the organisation, the Ministry has stated that over the years, keeping pace with the industrial development and Governmental policies, the organisation expanded rapidly. The manpowers position of the organisation as on 1.10.1999 is given as under:

Units	Technical		Administrative		Total	
	Sanctioned	Working	Sanctioned	Working	Sanctioned	Working
Headquarters	15	13	53	47	68	60
CLI, Mumbai	111	85	108	95	219	180
3 RLLs	85	71	105	99	190	170
Docks Safety Inspectorates	24	18	36	31	60	49
Total	235	187	302	272	537	459

2.22 The number of reportable accidents both fatal and non-fatal during the last three years are as under:

Year	Fatal Accidents	Non-Fatal Accidents	Total
1996-97	18	340	358
1997-98	21	325	346
1998-99	24	260	284

2.23 All the fatal and serious accidents are promptly investigated by the officials of Dock Safety Divisions of DGFASLI to find out the probable causes. On the basis of findings and analysis of the accidents, appropriate measures are taken like warnings, show cause notices, prosecution etc. depending upon the seriousness of the contraventions of the provisions under the statutes for non-recurrence.

2.24 It has been noted from the statistics of fatal accidents that there is a marginal increase in the number of fatal accidents, but there is substantial decrease in total no. of accidents. It is observed that nearly 50% of the fatal accidents were due to the agency "means of transportations" mainly during handling and transportation of cargo including containers. During this period, there is a remarkable increase in the container traffic in ports.

2.25 On being asked about the Inspectorate of Dock Safety in the major ports, the Ministry has stated that at present there are eleven major ports in the country and Inspectorate of Dock Safety have been set up at ten major Ports (except Jawaharlal Nehru Port). For the port of JNPT, one post of Asstt. Director(s) has been sanctioned and the opening of Inspectorate of Dock Safety has been approved recently. The Inspectorate will be opened shortly on receipt of the sanction in regard to the rent for office premises. However, in absence of the Inspectorate of Dock Safety at JNPT some of the statutory important functions like investigation of fatal and serious accidents, participating in Safety Committee etc. are carried out by the Inspectorate of Dock Safety, Mumbai as an additional activity.

2.26 The Ministry has further stated that Safety Officers have been appointed by the authorities in almost all the major ports except for the Ports of Paradip and Tuticorin. As against a requirements of 17 Safety Officers in Ports, at present 14 Safety Officers have been appointed.

2.27 The Dock Labour Boards are functioning in the ports of Kandla, Mormugao, Visakhapatnam, Chennai and Calcutta. As against the requirement of 9 Safety Officers, only one Safety Officer by the Chennai Dock Labour Board has been appointed.

2.28 In the ports and Dock Labour Boards where the Safety Officers have not been appointed, matter is being pursued for appointment of the required number of Safety Officers through the forums like Advisory Committees and writing to and pursuing with the concerned port authorities.

2.29 The DGFASLI has also undertaken safety audits in major ports on request from Indian Ports Association. The main objective for undertaking the safety audits was to know the present status and to suggest remedial measures for the improvement of safety and health of the workers. The safety audits in Ports of Tuticorin, new Managalore, Kandla, Paradip, Cochin, JNPT, Calcutta, (Budge, Budge Oil Terminal), and Mormugao have been completed and is in progress in the remaining ports.

2.30 The Committee note that after a great deal of persuasion for five years with the Haryana Urban Development Authority, the Ministry has been able to take possession of land for construction of building for Regional Labour Institute at Faridabad. The Committee desire that the Ministry should now make all possible efforts to construct its building with full infrastructure within two years as promised by them during the course of evidence and make it fully functional.

2.31 The Committee note that DGFASLI Organisation is entrusted with an important task of improving safety, health, productivity, working conditions in factories and ports yet there is an increase in reported accidents in some of the Major Ports. The inspections of ships and oil tankers carried out by the organisation during the year 1998-99 are also not satisfactory. The Committee further note that a number of posts are lying vacant in the Organisation. The Committee are not at all happy with the situation keeping in view the fact that number of fatal accidents in ports are increasing. The Committee, therefore, desire that the Organisation should carry out more number of inspections in factories and docks to identify the causes leading to accidents and suggest the remedial measures to minimise the accidents. Also urge upon the Ministry to strengthen the organisation by providing adequate manpower.

2.32 The Committee note with distress that Jawaharlal Nehru Port Trust which is handling a large number of containers and bulk cargo does not have any Inspectorate of Dock Safety regulating it. The Committee are also not satisfied with the reason that the inspectorate will be opened shortly on receipt of the sanction in regard to the rent for office premises. The Committee fail to understand as to why the Inspectorate of Dock Safety at JNPT has not so far been set up as this Port started functioning as a major port in the year 1999 and, therefore, desire that the Inspectorate for JNPT be set up without further delay.

2.33 The Committee further note with concern that out of 17 Safety Officers required to be appointed in Major Ports, only 14 Safety Officers were in position as on 1.2.2000 whereas Paradip and Tuticorin have no safety officers. The position in Dockyards is still worst as out of 9 Safety Officers required, only one was in position as on 1.2.2000 at Chennai Dock Labour Board. The Committee are not happy with the situation and are of the opinion that no compromise can be made insofar as safety and health of workers in ports and docks are concerned. The Committee, therefore, strongly recommend that the Ministry should take up the issue with the Ministry of Surface Transport and ensure that the Safety Officers are appointed in all the Major Ports and Dock Labour Boards as required under the Statute.

MAJOR HEAD : 2230

SUB-HEAD : 02.03

C. National Child Labour Policy

2.34 It has been stated in the Performance Budget that the allocation for 1997-98 and 1998-99 was Rs. 78.43 crore and 50.00 crore. The actual expenditure for these two years was to the order of Rs. 13.17 crore and Rs. 27.44 crore. The allocation for the year 1999-2000 was Rs. 34 crore (excluding Central pool for North-East).

2.35 One of the components of the National Child Labour Policy, 1987 is the setting up of National Child Labour Projects (NCLPs) in areas of high concentration of child labour for their identification, withdrawal and rehabilitation. The package of benefits to child labour for their rehabilitation include non-formal education, vocational training, nutrition, health care, recreation, stipend, etc. The other activities include stricter enforcement of child labour related laws, raising awareness against the evil of child labour and extension of welfare facilities to child labour. So far 91 NCLPs have been set up for the rehabilitation of 1.9 lakh working children.

2.36 Under the Grant-in-Aid scheme voluntary agencies are being financially assisted to the extent of 75% of the project cost for taking up welfare projects for working children where they are provided with non-formal education, supplementary nutrition, health care and vocational/skill training. During 1998-99, 83 voluntary organisations were extended assistance under the scheme. The total expenditure under the scheme during the year 1998-99 was Rs. 93.07 lakh.

2.37 When asked about the increasing of Child Labour Projects in the country, the Secretary, Labour stated during evidence:—

“So far we have succeeded in releasing about 1.9 lakh children from the hazardous industries, occupations and processes. They have been enrolled into these 3,000 plus special schools opened under the National Child Labour projects. The Cabinet Committee on Economic Affairs has given us the authority to go upto 100 projects. Actually, we wanted about 300 projects to be opened in 300 districts. For that we needed Rs. 2,172 crore.”

2.38 Asked about the continuance of this Scheme, he stated:—

“Just as we have today 100 per cent Centrally funded scheme and we are not in a position to continue this indefinitely, we have been writing to the State Governments to please formulate such a scheme at the State level and to constitute the District Child Labour Project Societies.

For expenditure, the EFC gives approval for continuance of the Scheme. Now, we need audit of accounts and a utilisation certificate from the State Government for release of grants. *Suo moto* I cannot release the grant. I have to release the grant in consultation with and with concurrence of the Integrated Finance Division.”

2.39 On being asked about the delay in release of funds to the Projects, the Ministry in a written reply furnished to the Committee has stated that delay is mainly due to non-receipt/late receipt of requisite documents such as Audited Accounts, Utilisation Certificates, Quarterly Progress Reports and Inspection Reports. Sometimes information is incomplete or otherwise incorrect. Clarifications have to be obtained from the concerned project societies. Integrated Finance Division (IFD) also requires clarifications while according concurrence to release of funds to projects.

2.40 The Committee have been informed that review meetings are also undertaken at the Centre, State and District level. A Central Monitoring Committee under the Chairmanship of Union Labour Secretary has been set up for the overall supervision, monitoring and evaluation of NCLPs. State Level Monitoring Committees have also been set up in some States, namely, Andhra Pradesh, Tamil Nadu, Maharashtra, Orissa, Karnataka and Uttar Pradesh.

2.41 Explaining the monitoring of the Projects, Secretary, Labour during the course of evidence has stated as under:

“We have a Central Monitoring Committee at Delhi under my Chairmanship in my Ministry. I have requested the State Governments to set up similar Monitoring Committees at the State level also. The Collectors have been asked to review the pace and progress of the programme every month. So, this is the monitoring mechanism at the district level, at the State level and at the Central level.”

2.42 As regards Study/Survey conducted through any agency of the Government to assess the progress made so far, the Ministry has stated that at the instance of the Department of Expenditure, Ministry of Finance, Inter-Ministerial Teams were constituted comprising the representatives of the Department of Expenditure, Planning Commission, Department of Women and Child Development, Ministry of Labour and Controller of Accounts of the Ministry undertook extensive visits to the NCLPs at Ranga Reddy (Andhra Pradesh), Kalahandi (Orissa), Varanasi (Uttar Pradesh), Sivakasi (Tamil Nadu) and Jaipur (Rajasthan). The teams interacted with State Governments, NGOs, officials of the Project Society, Parents of children admitted in the special schools and representatives of the public in order to make an objective assessment of implementation of the NCLPs. Some of the observations and recommendations of the teams are as follows:

The National Child Labour Projects which were set up with the main objective of withdrawing children working in hazardous occupations and mainstreaming them to the formal school system, have succeeded in achieving the desired objective to a large extent.

Performance of some of the projects is appreciable and worthy of replication.

As the working children are from different socio-economic backgrounds and have different skills and experience, the normal schools are not in a position to cater to their specific needs. The special schools essentially act as a bridge to facilitate their entry to the formal schools. Their continuance is, therefore, necessary.

One of the main weaknesses observed by the teams was lack of systematic and periodic monitoring and inspection, both through the State Government and periodic visits by officers in the Ministry. Enforcement of Labour laws also needs to be stepped up.

2.43 When asked whether there is any proposal for enhancing the payment of stipend, the Ministry has informed the Committee that while this amount does not fully compensate the income foregone by the working children, it acts as a great motivating factor for the parents to send their children for education.

2.44 The Committee appreciate the efforts of the Ministry that out of total 100 National Child Labour Projects (NCLPs), approved by Cabinet Committee on Economic Affairs (CCEA) for Ninth Five Year Plan, they have already set up 91 NCLPs for rehabilitation of 1.9 lakh working children. The Committee desire that the Ministry may continue their endeavour to release and rehabilitate the working children and also approach the Planning Commission for sanctioning of additional NCLPs alongwith additional budgetary provisions.

2.45 The Committee are constrained to note that the Project Societies have not been able to ensure timely release of funds to the NGOs for running these schools which indicates lack of coordination with the Project Societies and the District Collectors whom the funds are released under the Centrally Sponsored Schemes directly. The Committee desire that the Ministry should strengthen its monitoring over the Projects and also pursue with the State Governments/Union Territory Administrations to set up State Level Monitoring Committees where these have not been set up so far. In the opinion of the Committee, the State Level Monitoring Committees will be able to coordinate the activities of project societies and implementing agencies down to the grass-root level and will also be able to resolve the problems like late receipt of audited accounts, utilisation certificates and delay in timely release of funds.

2.46 The Committee also desire that the existing amount of stipend paid to each child per month should be enhanced so that the income foregone by the working children will act as a great motivating factor for the parents to send their children for education. Also the honorarium paid to the teachers should be enhanced. The Committee further desire that the awareness generation programmes at the District levels should be launched against this social evil of child labour in the child endemic areas in the country which may have a lasting effect on the minds of the public.

MAJOR HEAD : 2230

SUB-HEAD : 07

D. Strengthening of National Vocational Training Institute (NVTI) and Regional Vocational Training Institute (RVTIs) for Women

2.47 It has been stated that the Directorate General of Employment and Training, through its Women Occupational Training Directorate, launched the Women's Vocational Training Programme in 1977. The programme aimed at providing vocational training facilities to women, thereby increasing their employability and consequently, their participation in the economy of the country.

2.48 Under the Vocational Training Programme at Central Sector, training facilities for women in vocational skills are being provided through a network of Women's Vocational Training Institutes, which have been set up as:—

National Vocational Training Institute (NVTI) for women, Noida; and Regional Vocational Training Institute (RVTIs) for women at Mumbai, Bangalore, Trivandrum, Hissar, Calcutta, Tura, Allahabad, Indore, Vadodara, Jaipur.

2.49 Each of the Institutes has well equipped work-shops and well furnished classrooms. While the Institute at Noida, Bangalore and Trivandrum are located in their own permanent institute buildings, the buildings for RVTI Calcutta, Tura, Allahabad, Jaipur and Vadodara are under progress. RVTI Mumbai, operating from the premises given by the State Government of Maharashtra, needs additional accommodation for expanding the training activities. As regards Indore and Hissar, the matter regarding Institutes permanent building is under process with the respective State Governments.

2.50 When asked about the funds allocated to NVTI/RVTIs for the financial year 1999-2000 and its actual expenditure incurred upto February, 2000, the Ministry has furnished the following table:

Institute	Funds allocated for the FY 1999-2000 (Rs. in lakhs)	Expenditure incurred upto Feb. 2000 (Rs. in lakhs)
NVTI Noida	163.85	85.27
RVTI Mumbai	66.37	31.72
RVTI Bangalore	86.95	49.04
RVTI Trivandrum	62.77	30.53
RVTI Hissar	23.47	17.63
RVTI Calcutta	30.79	16.52
RVTI Tura	27.20	16.46
RVTI Allahabad	29.16	15.31
RVTI Indore	21.96	17.88
RVTI Vadodara	22.50	15.64
RVTI Jaipur	26.38	23.19
Total	563.43	323.49

2.51 When asked the low utilisation of funds in all the NVTI/RVTIs, the representative of the Ministry stated as under:—

“There are three reasons why we have not been able to spend the money as per requirement. The first and the foremost reason is that the expenditure is related to the starting of courses. Starting of courses had been held up because due to a number of reasons our posts had not been filled. The other thing is regarding the procurement of equipment. We have been slightly delayed in this. Now we are catching up with it. I expect that in this month of March we will be able to show a substantial progress though we will not be able to do 100 per cent of expenditure. But I expect that a substantial amount of expenditure will be covered because most of the procurement processes are under the pipeline.”

2.52 The sanctioned seating capacity of these Institutes is 1936 against which more than 1750 trainees are enrolled (as in October, 1999), the shortfall being mainly due to vacant faculty posts. Action for filling up of these posts are under process with UPSC/ CEE. More than 21500 trainees have been trained so far, since inception.

2.53 It has been stated that 3268 trainees were trained during 1999-February 2000 in regular courses as well as in ad-hoc courses. And the following steps have been taken to increase the number of trainees in the Institutes:—

With the restructuring of regular training courses the training duration has been reduced to 8 months, enabling the institutes to organise a larger number of short-term courses, as also organise training on modular pattern.

2.54 During the period June to September, 1999, more than 1800 women trainees have been trained in various ad-hoc/short-term courses in areas like Operation of Office Equipment; Entrepreneurship Development Programme, Micro processor and Digital Electronics; Repair and Maintenance of Domestic Electrical Equipment; Maintenance and Operation of VCP/VCR/Colour Television; Stitching of ladies/gents/children garments; Drafting and Pattern Making; Word Processing using MS office 97-MS Word, MS Excel, Power Point, Access, Food Preservation etc.

2.55 As the basic skill training forms the eligibility requirement for admission to the advanced skill course, efforts have also been made to increase women participation in basic skill training by requesting the States to reserve 25% training seats for women in general ITIs/ITCs. The National Council for Vocational Training (NCVT) recommendations to this effect have already been forwarded to all the State Governments.

2.56 When asked about the present position of training officers, vocational instructors etc. in the NVTI/RVTIs as against the sanctioned strength, the Ministry has furnished the following table:

Posts Faculty	Sanctioned	Filled	Vacant	Remarks Vacancy position
T.O.	54*+ 40	42	36*+ 16	Posts are vacant from varying period since August, 1996, when these were recreated/revived after having been deemed abolished as per Ministry of Finance Order dated 3.5.93. * The posts sanctioned under the erstwhile World Bank Project were to be filled as stipulated in the sanction, in a phased manner, on availability of infrastructural facilities.
V.I.	42*+ 12	41	18*+ 5	-do-
G.I.	12**+ 11	03	12**+ 8	-do-
Total	181	86	95	

**The RRs for the post have to be notified before recruitment.

2.57 when asked how it is possible to function properly in each of these Institutes in the absence of the required staff, the Ministry in their written reply furnished to the Committee has stated that it is not possible for the Institute to function effectively. However, as temporary arrangement in the institutes where the infrastructure is available but not being utilized due to vacant faculty posts, sanction is sought from Finance to engage part time faculty for organizing the training courses

till the regular faculty position is filled. Training is also supplemented by inviting Guest Faculty for the specialized areas. Approval of Recruitment Rules by the UPSC and vetting by the Ministry of Law, normally takes 2 to 3 months. Notification would be done soon after the approval of the Recruitment Rules by the above authorities.

2.58 On being asked about the details of machinery and equipment sanctioned, procured and pending in the NVTI/RVTIs as on date, the Ministry in their written reply furnished to the Committee has stated that the machinery and equipment is purchased as standard list of tools and equipment prescribed for each trade and approved by National Council for Vocational Training (NCVT). With the review and revision of the course curriculum, the list of Tools and Equipment is also suitably modified. The procurement of equipment as per standard list normally precedes the introduction of training course. The position on date is that almost 90% of the required standard equipment for each trade has been procured and is available.

2.59 The Committee are surprised to note that though the DGET provides training facilities to women in the country to increase their employability and their participation in the economy through NVTI/RVTIs yet the expenditure in most of these Institutes is in the range of 40 to 50%. The reasons put forth by the Ministry i.e. delay in taking up procurement of equipment, vacant posts are not acceptable to the Committee. The Committee are of the opinion that the monitoring of the Ministry over these projects has not been very effective. The Committee, therefore, urge upon the Ministry to fill the vacant posts and procure the necessary equipments well in time so that the funds allocated for the purpose could be utilised in the same year and the objectives of the Vocational Training Institutes are properly achieved.

2.60 The Committee are constrained to note that most of the Institutes have not their own buildings and the construction work at various places such as Calcutta, Tura, Allahabad, Jaipur and Vadodra have been badly delayed. The Ministry has thrown the onus for delay on the State Governments in allotting land for the construction of RVTIs. The Committee, therefore, strongly recommend that the Ministry should take up the issue with the concerned State Governments so that the RVTIs are established and become fully operational without further delay.

MAJOR HEAD : 2230

SUB HEAD : 02

E. V.V. Giri National Labour Institute, Noida

2.61 The V.V. Giri National Labour Institute was registered as a Society under the Societies Registrations Act, 1860 by the Government of India on the February, 11, 1972 and became operative on the July, 1, 1974 after assuming the responsibilities of the erstwhile Indian Institute of Labour Studies. The Objective of the Institute, as set out in its Memorandum of Association, are as follows:—

- (i) To undertake and assist in organising training and education programmes, seminars and workshops;
- (ii) To undertake, aid, promote and co-ordinate research through its own or in collaboration with other agencies, both national and international;
- (iii) To establish wings for:—
 - (i) Education, training and orientation
 - (ii) Research, including action research
 - (iii) Consultancy; and Publication and other such activities as may be necessary for achieving the objectives of the society;
- (iv) To analyse specific problems encountered in the planning and implementation of labour allied programmes and to suggest remedial measures;
- (v) to establish and maintain a library and information services; and
- (vi) To collaborate with other institutions and agencies in India and abroad who have similar objective.

2.62 Asked to state the number of programmes as well as the number of participants for the programmes conducted by the Institute during the last three years, the Ministry has furnished the following table:—

Year	No. of Programme	No of Participants
1996-97	30	714
1997-98	48	1078
1998-99	66	1682

2.63 In addition the Institute has also organised Rural Labour Camps, the details of which are as follows:

Year	No. of Camps	No. of Participants
1996-97	3	133
1997-98	3	97
1998-99	14	419

2.64 Asked to state whether the funds allocated by the Ministry are sufficient for proper functioning of the Institute, the Ministry has stated that at the current pace of activities the Plan funds are adequate. On the Non-Plan side, however, some fund crunch is faced. For this purpose the Ministry has constituted a Committee under the Chairmanship of the Additional Secretary to go into the entire Non-Plan funds requirement of the Institute.

2.65 The Committee have been informed that the Ministry has undertaken a work study of the N.R.De Resource Centre on Labour Information and Documentation. The study has recommended a complement of both professional and support staff. A proposal is under way to upgrade the Institute to the level of a leading training Institute in the South Asian Region. In this context a report has been prepared after reviewing and assessing various aspects of functioning of the Institute. A collaborative arrangement is being discussed between the Institute and the International Training Centre of ILO at Turin. This would involve faculty enhancement, development and motivation. The perspective plan had also envisaged that the core activities of the Institute need to be restructured in consonance with the emerging needs of the labour market and their impact on labour.

2.66 The Committee have further been informed that the Study has recommended a total of 10 posts of which 6 are professional and 4 are support staff. The Statement showing the recommended posts are given below:

Sl. No.	Name of the Post	Scale of pay	Assessed
1.	Principal Library & Information Officer	Rs. 14300-400-18300	1
2.	Library and Information Officer	Rs. 10000-325-15200	1
3.	Assistant Library and Information Officer	Rs. 6500-200-10500	1
4.	Senior Library and Information Assistant	Rs. 5500-175-9000	1
5.	Library and Information Assistant	Rs. 5000-150-8000	2
6.	Library Clerk	Rs. 3050-75-3950-80-4590	2
7.	Library Attendant	Rs. 2650-65-3300-70-4000	1
8.	Junior Library Attendant	Rs. 2550-60-3200	1
			10

2.67 The Library is functioning at present with one Assistant Library Information Officer and one Library Attendant. The balance 8 posts assessed by the Work Study has to be filled up. Approval of Planning Commission for the creation of posts as recommended by the Work Study is being drawn up. Only on the approval of the Planning Commission these posts can be filled up.

2.68 The Committee note that V.V. Giri National Labour Institute, Noida has been entrusted with responsibilities of providing training & education programmes, seminars, workshops, research, consultancy and publications but all these activities can not be carried out efficiently and effectively without sufficient funds and staff support. The Committee, therefore, desire that the Ministry should strengthen the Institute by allocating more funds particularly in non-plan side and also take vigorous steps for the approval of the Planning Commission for creation of posts so that the Institute could become a leading training institute in the South Asian Region. The Committee further recommend that NLI should take necessary steps for restructuring the core activities of the Institute in consonance with the emerging needs of the labour market and their impact on labour.

MAJOR HEAD : 2230

SUB-HEAD : 02.02

F. Reimbursement of Administrative Charges to Employees Provident Fund Organisation

2.69 The Employees Provident Funds and Miscellaneous Provisions Act, 1952 is applicable to factories/establishments employing 20 or more persons. The Act applies to 177 classes of industries. The wage ceiling for coverage has since been enhanced to Rs. 5000/- per month *w.e.f.* 1st October, 1994. At the end of March, 1999, 3.18 lakh establishments with 23.11 million subscribers were covered under the Scheme. Progressive increase in the coverage of establishments and members and the date from which wage ceiling since the inception of the Act in 1952 till date is shown in the following tables:

Coverage of Establishments and Members

Year	Coverage of Establishments (in Nos.)	Coverage of Members (in Lakhs)
1952-53	1400	12.00
1959-60	7373	27.01
1969-70	46504	56.04
1979-80	93094	104.64
1989-90	194961	146.64
1999-2000 (Upto Dec. 99)	331504	239.55

**Chronological event in the change of Wage limit
under EPF Scheme 1952**

Period	Wage Limit per month
01.11.1952 to 31.05.1957	Rs. 300/-
01.06.1957 to 30.12.1962	Rs. 500/-
31.12.1962 to 10.12.1976	Rs. 1000/-
11.12.1976 to 31.08.1985	Rs. 1600/-
01.09.1985 to 31.10.1990	Rs. 2500/-
01.11.1990 to 30.09.1994	Rs. 3500/-
01.10.1994 onwards	Rs. 5000/-

2.70 On being asked about the latest position regarding EPF arrears, the Ministry in their written reply furnished to the Committee has stated that as on 29.02.2000 an amount of Rs. 1033.86 crore was outstanding against defaulting units/establishments. Necessary legal and penal action as provided under section 7A, 7Q, 8B, 14 and 14B of the EPF&MP Act, 1952 is already being taken to recover the dues/arrears outstanding against the defaulting establishments.

2.71 Asked to state whether some of the establishments are not depositing the provident fund contribution in the office of the Provident Fund Commissioner though they are deducting the amount from the wages of their employees, the Ministry in their written reply furnished to the Committee has stated that there are some establishments who have deducted provident fund contribution from the wages of the employees but not deposited the same with the Fund. In these cases criminal proceedings are

launched under section 406/409 of IPC. Number of FIRs filed in such cases during the last three years was as under:

Year	Section 406/409
1996-97	287
1997-98	496
1998-99	1111

2.72 Details of prosecution cases launched during the last 3 years under section 14 of the EPF & MP Act are as under:

Year	Section 14
1996-97	3772
1997-98	5219
1999-2000	7073

2.73 The Employees Provident Fund Organisation is keeping close-watch on the cases pending in courts. Legal cells have been set up in regional EPF Offices to monitor and pursue cases pending in courts vigorously.

2.74 There were 7176 cases pending under section 7A with RPFCs. The periodicity of these pending cases is as under:

Period	No. of cases
Less than 6 months	4583
6 months to 1 year	1328
1 to 3 years	926
Beyond 3 years	339

2.75 When asked whether the Government have given a thought to amend the Employees' Provident Fund Act, 1952 to do away with the quantum of employment of 20 and scheduled industries restrictions incorporated in the Act to check unfair practice by unscrupulous employers, the Ministry in their written reply furnished to the Committee has stated that the matter to reduce the quantum of employment from 20 to 10 and remove scheduled industries restriction is under examination in consultation with the Ministry of Finance.

2.76 The Committee take a serious note of the fact that out of 320 million workforce, only about 24 million have so far been covered under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952. The Committee are not happy with the situation. In the opinion of the Committee, the enforcement machinery of the organisation is not very effective. The Committee, therefore, strongly recommend that in order to provide social security to an ordinary labourer, the responsibility should be fixed on enforcement officers of the area and the concerned Regional Provident Fund Commissioners.

2.77 The Committee are constrained to note that the provident fund arrears have continuously been on the increase since 1990-91. As on 29.02.2000 an amount of Rs. 1033.86 crore was outstanding against defaulting units/establishments. The Committee, therefore, desire that the Ministry should make all out efforts for recovery of outstanding dues by taking stern legal actions against the defaulting establishments without further delay. Also a list of such defaulting establishments/units should be made public.

2.78 The Committee regret to note that a large number of cases under Sections 7A, 7Q, 8B, 14 and 14B of the EPF&MP Act, 1952 and also under Sections 406/409 of the Indian Penal Code are pending for a long time. The Committee, therefore, urge upon the Ministry to have a thorough monitoring over the scheme and ensure that the pending cases under the aforementioned statutes are disposed of at the earliest.

2.79 The Committee also note that the provisions relating to quantum of employment and scheduled industries restrictions in the EPF and MP Act are a source of unfair practice by unscrupulous employers and, therefore, urge upon the Ministry to amend the Act so that an ordinary labourer is not deprived of his right of social security.

MAJOR HEAD : 2230
SUB-HEAD : 05.07

G. Wage Boards for Working Journalists and Non-Journalists Newspaper Employees

2.80 Asked to state the implementation of the recommendations of the Bachhawat Wage Board which was set up in the year 1985, the Ministry in their written reply furnished to the Committee has stated that the responsibility for implementation of recommendations lies with the State Governments. The progress of implementation is being monitored at the level of Central Government and at present out of 1715 newspaper establishments, 642 have fully and 26 partially implemented the recommendations.

2.81 The Committee has also been informed that the Wage Boards for Journalists and Non-Journalists Newspaper and News-agency employees were constituted on 2.9.94 under the Chairmanship of Justice Raj Kumar Manisana Singh, Retd. Chief Justice of Guahati High Court for fixation and revision of wages. It may be stated that no-time frame was fixed for submission of the report. Regarding present position of the working of the Wage Boards, it may be stated that on 21.12.1999, the Wage Boards submitted tentative proposals giving Wage structure of the Working Journalists and Non-Journalists newspaper and news-agency employees. These proposals were published in the Gazette on 30.12.99 and the employers' and employees' organisations and other persons interested in the revision of rates of wages were required to submit their comments with respect to tentative proposals within six weeks of the date of publication of the notice. In response, about 75 parties have submitted their comments and 42 have requested for oral hearings. The first round of oral hearings on the comments/objections of concerned parties was held during 22-25 February, 2000. The second round of oral hearing was held during 14-17 March, 2000. The third round of oral hearing was concluded during 27-31 March, 2000. The Board is meeting from 17.4.2000 onwards to finalise their report. The Chairman, Wage Boards had been requested to complete the work by 31st March, 2000.

2.82 The Committee are constrained to note the fact that the implementation of the recommendations of the Bachhawat Wage Board regarding pay and allowances for the Working Journalists and for the Non-journalists newspaper and news-agency employees is the responsibility of the State Governments but even after a lapse of 15 years, out of 1715 newspaper establishments only 642 have fully and 26 partially implemented the recommendations which indicates nothing but poor monitoring of the Central Government. The Committee view this situation seriously and strongly recommend that the State Governments be persuaded vigorously to implement the recommendations by the remaining Newspaper establishments fully.

2.83 The Committee further note that the Wage Boards for Journalists and Non-journalists Newspaper and News-agency were constituted on 2.9.94 under the Chairmanship of Justice Raj Kumar Manisana Singh, Retd. Chief Justice of Guwahati High Court for fixation and revision of wages and no-time frame had been fixed for submission of the Report. The Committee, therefore, fail to understand that even after a lapse of 5 years the Wage Boards have not been able to finalise their reports. The Committee, therefore, desire that the Ministry should pursue the matter with the Wage Boards to finalise the reports expeditiously.

NEW DELHI;
13 April, 2000

24 Chaitra, 1922 (Saka)

DR. SUSHIL KUMAR INDORA,
Chairman,
Standing Committee on
Labour and Welfare.

MINUTES OF THE SEVENTH SITTING OF THE
STANDING COMMITTEE ON LABOUR AND WELFARE
HELD ON 13TH APRIL, 2000

The Committee met from 11.30 hrs. to 13.30 hrs. in Committee Room 'B' Parliament House Annexe, New Delhi.

PRESENT

Dr. Sushil Kumar Indora — *Chairman*

MEMBERS

Lok Sabha

2. Shri Denzil B. Atkinson
3. Smt. Sandhya Bauri
4. Shri Joachim Baxla
5. Shri Manibhai Ramjibhai Chaudhuri
6. Smt. Phoolan Devi
7. Shri Virendra Kumar
8. Shri C. Kuppusami
9. Shri Ramjee Manjhi
10. Shri Rupchand Murmu
11. Shri Raj Narain Passi
12. Shri Madhab Rajbangshi
13. Shri Charanjit Singh
14. Dr. Ram Lakhan Singh
15. Dr. N. Venkataswamy
16. Shri K. Yerrannaaidu

Rajya Sabha

17. Shri Mohd. Azam Khan
18. Shri Ramachandra Khuntia
19. Shri C.O. Poulouse
20. Shri Ka. Ra. Subbian
21. Ms. Frida Topno

SECRETARIAT

1. Shri Joginder Singh — *Joint Secretary*
2. Shri J.P. Sharma — *Deputy Secretary*
3. Shri B.D. Swan — *Under Secretary*

2. At the outset, Hon'ble Chairman welcomed the new Members of Lok Sabha nominated to the Committee. The Committee first took up the draft Third Report on Demands for Grants relating to the Ministry of Labour for the year 2000-2001 and adopted the Report with the following modifications:

Sl.No.	Para No.	Lines	Amendment
1.	After Para 1.15 add—		1.16 The Committee note that there are about 8.5 million Building and other Construction Workers in the country and two comprehensive legislations viz. (a) The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996; and (b) The Building and Other Construction Workers' Welfare Cess Act, 1996 have been brought into Statute Book <i>w.e.f.</i> 20.8.1996 but no States except Kerala has constituted the Welfare Board. The Committee view this situation very seriously and urge the Ministry to take up the matter vigorously with all the remaining States for implementing the provisions of the said legislations in letter and spirit so as to ameliorate the living conditions of workers engaged in the construction activity.
2.	2.77	line 6, add at the end	"Also a list of such defaulting establishments/units should be made public."

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| 3. | ** | ** | ** | ** |
| 4. | ** | ** | ** | ** |

5. The Committee authorised the Chairman to finalise the Report in the light of above amendments and present the same to Parliament on their behalf.

6. The Committee then placed on record their deep appreciation and thanks to the officers and staff of the Lok Sabha Secretariat for their hard work and valuable assistance rendered by them to facilitate the work of Committee in all matters and in preparing their draft reports within the limited time.

The Committee then adjourned.

STATEMENT OF RECOMMENDATIONS/CONCLUSIONS

Sl.No.	Para No.	Conclusions/Recommendations
1	2	3
1.	1.11	The Committee note that although the Ministry of Labour has improved their expenditure in non-plan allocations yet the plan expenditure is below 60% and in some of the schemes it is much below 25% which is far from being satisfactory. The reasons put forth by the Ministry for non-utilisation of funds such as not getting the audited statement of accounts, utilisation certificates and inspection reports from District Child Labour Societies in time are not at all convincing to the Committee. The Committee are, therefore, of the opinion that the Ministry is lacking coordination with the States and also its monitoring is not upto the mark. The Committee, therefore, recommend that the Ministry of Labour should have a thorough monitoring over the Central as well as the Centrally sponsored Schemes. The Committee expects that in future the Ministry should not only ensure that the funds allocated for various schemes are utilised during the same financial year for which these are earmarked but also devise effective steps to improve their monitoring over the schemes. Steps taken in this regard may be communicated to the Committee.

1	2	3
2.	1.12	The Committee express their serious concern that the Agricultural Workers who constitute by far the largest segment of workers in the unorganised sector and whose number according to 1991 census was 74.6 million continue to be still dispersed and unorganised even after 50 years of independence. Despite this Committee's recommendation made in their Fourth Report (Twelfth Lok Sabha), the Government have not been able to provide an umbrella legislation for them. The reasons put forth by the Ministry that some of the State Governments have expressed certain reservations on some of the components of the draft legislation is not acceptable to the Committee. The Committee feel that the Ministry has not shown the seriousness in the matter which it deserved. The Committee, therefore, strongly recommend that the Ministry should make vigorous efforts in the right earnest to resolve the tangle among the States to get the consensus in the matter from all the State Governments so that a comprehensive legislation providing for social security and regulating conditions of service for the Agricultural Workers is brought before the Parliament without further delay.
3.	1.13	The Committee are constrained to note that there are 85 million handicapped in the country and only 17 Vocational Rehabilitation Centres have been set up

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for them in sixteen States. The Committee feel that keeping in view the millions of handicapped in the country the number of these Rehabilitation Centres is quite inadequate to cater to their needs. The Committee while appreciating the Ministry's proposal to the Planning Commission for setting up at least one VRC in each State/UT desire that the matter should be pursued vigorously so that maximum number of handicapped are economically rehabilitated. Also efforts should be made with the State Governments/UTs to provide hostel facility in each Vocational Rehabilitation Centre.

4.

1.14

The Committee express their serious concern over the miserable plight of the public sector employees whose statutory dues amount to Rs. 1800 crore representing the provident fund, ESI, gratuity, bonus, workmen's compensation etc. have not been paid months together as a result of industrial sickness in the public undertakings. Although the matter is stated to be under consideration of the Committee of the Group of Ministers yet in the opinion of the Committee it is required to be resolved on priority so that the workers' interests are protected. The feelings of the Committee may be conveyed to the Group of Ministers.

1	2	3
5.	1.15	The Committee note with concern that despite a statutory provision for constituting the Vigilance Committees at the district and sub-divisional levels to identify and release of bonded labourers, the Vigilance Committees in as many as 535 districts in the Country have not been constituted so far. The Committee also note that since the enactment of Bonded Labour System (Abolition) Act, 1976, 2,80,340 bonded labourers have been identified upto 31st March, 1999 and out of these 2,43,325 bonded labourers have been reported to be rehabilitated by the State Governments under the Centrally sponsored schemes and 17003 are waiting for rehabilitation and others are not traceable. The Committee are of the opinion that the monitoring of the Ministry is not very effective and desire that the Ministry should impress upon the concerned State Governments/U.Ts. to constitute the Vigilance Committees in all the remaining districts of that the bonded labourers are released and rehabilitated.
6.	1.16	The Committee note that there are about 8.5 million Building and other Construction Workers in the Country and two comprehensive legislations viz. (a) The Building and other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996; and (b) The Building and Other Construction Workers' Welfare Cess Act, 1996 have been brought on the Statute

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Book w.e.f. 20.8.1996 but no States except Kerala has constituted the Welfare Board. The Committee view this situation very seriously and urge the Ministry to take up the matter vigorously with all the remaining States for implementing the provisions of the said legislations in letter and spirit so as to ameliorate the living conditions of workers engaged in the construction activity.

7.

2.13

The Committee are constrained to note that safety, health and working conditions of workers employed in mines are in the domain of DGMS who besides inspection of mines undertake investigations into all fatal and non-fatal accidents in coal and non-coal mines yet the number of fatal accidents in coal and non-coal mines are increasing. The reasons put forth by the Ministry regarding accidents in coal and non-coal mines i.e. fall of roofs and sides in coal mines whereas death due to dumpers and trucks in non-coal mines are not acceptable to the Committee. The Committee are also not happy with the situation that a good number of posts of inspecting staff is lying vacant. The Committee, therefore, strongly recommend that the Ministry should take vigorous efforts to minimise the accidents in mines and make all out efforts to operationalise their scheme viz. "Strengthening of Mines Safety Enforcement Machinery" at the earliest. Also the Ministry should ensure that

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the Directorate General of Mines Safety Department should be strengthened by providing adequate staff.

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2.14

The Committee regret to note that the number of cases against the erring managements are piling up year after year due to limitations of the present judicial system which lead to considerable delay in disposal of cases and also due to existing prescribed fees paid to panel lawyers/outside lawyers engaged by the DGMS is so meagre that panel lawyers hesitate to handle the cases. The Committee find that it is not a very happy situation and therefore desire that the matter may appropriately be taken up with the concerned Ministries for revising their fees which will certainly reduce the pendency. Also for expeditious disposal of cases under the Mines Act, 1952, efforts should be made to set up designated/special courts.

9.

2.30

The Committee note that after a great deal of persuasion for five years with the Haryana Urban Development Authority, the Ministry has been able to take possession of land for construction of building for Regional Labour Institute at Faridabad. The Committee desire that the Ministry should now make all possible efforts to construct its building with full infrastructure within two years as promised by them during the course of evidence and make it fully functional.

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10.	2.31	The Committee note that DGFASLI Organisation is entrusted with an important task of improving safety, health, productivity, working conditions in factories and ports yet there is an increase in reported accidents in some of the Major Ports. The inspections of ships and oil tankers carried out by the organisation during the year 1998-99 are also not satisfactory. The Committee further note that a number of posts are lying vacant in the Organisation. The Committee are not at all happy with the situation keeping in view the fact that number of fatal accidents in ports are increasing. The Committee, therefore, desire that the Organisation should carry out more number of inspections in factories and docks to identify the causes leading to accidents and suggest the remedial measures to minimise the accidents. Also urge upon the Ministry to strengthen the organisation by providing adequate manpower.
11.	2.32	The Committee note with distress that Jawaharlal Nehru Port Trust which is handling a large number of containers and bulk cargo does not have any Inspectorate of Dock Safety regulating it. The Committee are also not satisfied with the reason that the inspectorate will be opened shortly on receipt of the sanction in regard to the rent for office premises. The Committee fail to understand as to why the Inspectorate of Dock Safety at JNPT has not so far

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		been set up as this Port started functioning as a major port in the year 1989 and, therefore, desire that the Inspectorate for JNPT be set up without further delay.
12.	2.33	The Committee further note with concern that out of 17 Safety Officers required to be appointed in Major Ports, only 14 Safety Officers were in position as on 1.2.2000 whereas Paradip and Tuticorin have no safety officers. The position in Dockyards is still worst as out of 9 Safety Officers required, only one was in position as on 1.2.2000 at Chennai Dock Labour Board. The Committee are not happy with the situation and are of the opinion that no compromise can be made insofar as safety and health of workers in ports and docks are concerned. The Committee, therefore, strongly recommend that the Ministry should take up the issue with the Ministry of Surface Transport and ensure that the Safety Officers are appointed in all the Major Ports and Dock Labour Boards as required under the Statute.
13.	2.44	The Committee appreciate the efforts of the Ministry that out of total 100 National Child Labour Projects (NCLPs), approved by Cabinet Committee on Economic Affairs (CCEA) for Ninth Five Year Plan, they have already set up 91 NCLPs for rehabilitation of 1.9 lakh working children. The Committee desire that the

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Ministry may continue their endeavor to release and rehabilitate the working children and also approach the Planning Commission for sanctioning of additional NCLPs alongwith additional budgetary provisions.

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| 14. | 2.45 | <p>The Committee are constrained to note that the Project Societies have not been able to ensure timely release of funds to the NGOs for running these schools which indicates lack of coordination with the Project Societies and the District Collectors whom the funds are released under the Centrally Sponsored Schemes directly. The Committee desire that the Ministry should strengthen its monitoring over the Projects and also pursue with the State Governments/ Union Territory Administrations to set up State Level Monitoring Committees where these have not been set up so far. In the opinion of the Committee, the State Level Monitoring Committees will be able to coordinate the activities of project societies and implementing agencies down to the grass-root level and will also be able to resolve the problems like late receipt of audited accounts, utilisation certificates and delay in timely release of funds.</p> |
| 15. | 2.46 | <p>The Committee also desire that the existing amount of stipend paid to each child per month should be enhanced so that the income foregone by the working children will act as a great motivating factor for the parents to send their children for education. Also the honorarium paid to the teachers</p> |

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		Employees' Provident Funds and Miscellaneous Provisions Act, 1952. The Committee are not happy with the situation. In the opinion of the Committee, the enforcement machinery of the organisation is not very effective. The Committee, therefore, strongly recommend that in order to provide social security to an ordinary labourer, the responsibility should be fixed on enforcement officers of the area and the concerned Regional Provident Fund Commissioners.
20.	2.77	The Committee are constrained to note that the provident fund arrears have continuously been on the increase since 1990-91. As on 29.02.2000 an amount of Rs. 1033.86 crore was outstanding against defaulting units/establishments. The Committee, therefore, desire that the Ministry should make all out efforts for recovery of outstanding dues by taking stern legal actions against the defaulting establishments without further delay. Also a list of such defaulting establishments/units should be made public.
21.	2.78	The Committee regret to note that a large number of cases under Sections 7A, 7Q, 8B, 14 and 14B of the EPF&MP Act, 1952 and also under Sections 406/409 of the Indian Penal Code are pending for a long time. The Committee, therefore, urge upon the Ministry to have a thorough monitoring

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		over the scheme and ensure that the pending cases under the aforementioned statutes are disposed of at the earliest.
22.	2.79	The Committee also note that the provisions relating to quantum of employment and scheduled industries restrictions in the EPF and MP Act are a source of unfair practice by unscrupulous employers and, therefore, urge upon the Ministry to amend the Act so that an ordinary labourer is not deprived of his right of social security.
23.	2.82	The Committee are constrained to note the fact that the implementation of the recommendations of the Bachawat Wage Board regarding pay and allowances for the Working Journalists and for the Non-journalists Newspaper and news agency employees is the responsibility of the State Governments but even after a lapse of 15 years, out of 1715 newspaper establishments only 642 have fully and 26 partially implemented the recommendations which indicates nothing but poor monitoring of the Central Government. The Committee view this situation seriously and strongly recommend that the State Governments be persuaded vigorously to implement the recommendations by the remaining Newspapers establishments fully.

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24.	2.83	The Committee further note that the Wage Boards for Journalists and Non-journalists Newspaper and News-agency were constituted on 2.9.94 under the Chairmanship of Justice Raj Kumar Marisana Singh, Retd. Chief Justice of Guwahati High Court for fixation and revision of wages and no-time frame had been fixed for submission of the Report. The Committee, therefore, fail to understand that even after a lapse of 5 years the Wage Boards have not been able to finalise their reports. The Committee, therefore, desire that the Ministry should pursue the matter with the Wage Boards to finalise the reports expeditiously.
